

1 Robert M. Cook (SBN 002628)
2 THE LAW OFFICES OF ROBERT M. COOK, PLLC
3 219 West Second Street
4 Yuma AZ 85364
5 Telephone: (928) 782-7771
6 Facsimile: (928) 782-7778
7 E-mail: robertmcook@robertmcook.com
8 *Attorney for Debtors*

**IT IS HEREBY ADJUDGED and
DECREED this is SO ORDERED.**

The party obtaining this order is responsible for noticing it pursuant to Local Rule 9022-1.

Dated: April 16, 2012

Randolph J. Haines, Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

In re:
PATRICK AND REBECCA SCHMIDT,
Docket No. 10-1000

In Proceedings Under Chapter 11

Case No. 2:10-BK-35744-RJH

**STIPULATED ORDER CONFIRMING
CHAPTER 11 PLAN OF
REORGANIZATION**

The Plan of Reorganization under Chapter 11 of the Bankruptcy Code filed by Debtors Patrick and Rebecca Schmidt dated August 23, 2011, having being transmitted to creditors and equity security holders;

The Debtors' Plan of Reorganization states or shall be amended to resolve any outstanding objections to the Plan as follows:

With respect to **Class A2**, the Allowed Tax Claims shall be paid nothing under this Plan as the Arizona Department of Revenue has withdrawn their Proof of Claim for 2009 in the amount of \$2,087.00 as Debtors' tax return for 2009 shows a refund of \$100.00.

With respect to **Class B1**, Secured Creditor CitiMortgage shall be paid according to its original terms and contract for the property located at 1620 E. Earll Drive, Phoenix, AZ 85016.

With respect to **Class B2** Secured Creditor Wells Fargo Bank shall be paid \$53,148.28 for the estimated secured portion of its second lien on the property located at 1620 E. Earll Drive, Phoenix, AZ 85016.

1 With respect to **Class B3**, Secured Creditor Aurora Loan Services LLC, shall be paid
2 \$80,000 at 5% over 30 years, for the property located at 1623 E. Catalina Drive, Phoenix, AZ
3 85016. Taxes and insurance will continue to be escrowed in the loan payment.

4 With respect to **Class B4**, Secured Creditor HSBC shall be paid \$60,000 @ 5% interest
5 over 30 years for the property located at 41 W. Vogel Avenue, Phoenix, AZ 85021.

6 With respect to **Class B5**, Secured Creditor CitiMortgage shall be paid \$64,500.00 over
7 30 years at 5.25% interest fixed for the property located at 1344 E. Whitton Avenue, Phoenix,
8 AZ 85014, and Debtors shall be separately responsible for the payment of real property taxes
9 and insurance as set forth in their Stipulated Agreement for Plan treatment with Citimortgage,
10 Inc. (Docket #90) and approved by this Court (Docket #91).

11 With respect to **Class B6**, Secured Creditor CitiMortgage shall be paid in full, the
12 amount of payoff of approximately \$69,747.30 over 30 years at 5% interest fixed for the
13 property located at 2718 N. Dayton Street, Phoenix, AZ 85006 as set forth in the Stipulation
14 regarding Plan treatment (Docket #100).

15 With respect to **Class B7**, Secured Creditor OneWest Bank, FSB, shall be paid \$95,000
16 at 5% interest over 30 years, for the property located at 2712 N. Dayton Street, Phoenix, AZ
17 85006. Taxes and insurance shall continue to be escrowed in the loan payment and the post
18 petition advances of \$85 shall be paid upon Plan confirmation.

19 With respect to **Class B8**, Secured Creditor One West Bank fka IndyMac Mortgage
20 Services, shall be paid \$83,500.00 over 30 years at 5% interest fixed for the property located at
21 4511 N. 14th Avenue, Phoenix, AZ 85013, and Debtors shall be separately responsible for the
22 payment of real property taxes and insurance as set forth in their Stipulated Agreement for Plan
23 treatment with OneWest Bank (Docket #94) and approved by this Court (Docket #99).

24 With respect to **Class B9**, Secured Creditor OneWest Bank fka IndyMac Mortgage
25 Services shall be paid \$75,000.00 over 30 years at 5% interest fixed for the property located at
26 1634A E. Earll Drive, Phoenix, AZ 85016, as set forth in their Stipulated Agreement for Plan
27 treatment with OneWest Bank (Docket #96) and approved by this Court (Docket #98).

28 With respect to **Class B10**, Secured Creditor Afria Owner's Association shall be paid in

1 full as agreed the pre-petition amount due on the 6.89 acres of land in Agua Fria (Dewey, AZ),
2 within 1 year of Plan Confirmation.

3 With respect to **Class B11**, Secured Creditor Yavapai County Treasurer shall be paid in
4 full the \$1,673.24 due on the 6.89 acres of land in Agua Fria (Dewey, AZ), within 1 year of Plan
5 Confirmation.

6 With respect to **Class B12**, Secured Creditor Afria Owner's Association shall be paid in
7 full as agreed the Pre-petition amount due due on the 4.32 acres of land in Agua Fria (Dewey,
8 AZ), within 1 year of Plan Confirmation.

9 With respect to **Class B13**, Secured Creditor Yavapai County Treasurer shall be paid in
10 full the \$1,308.78 due on the 4.32 acres of land in Agua Fria (Dewey, AZ), within 1 year of
11 Plan Confirmation.

12 With respect to **Class B14**, Secured Creditor Yavapai County Treasurer shall be paid in
13 full the \$691.00 due on the 4 acres of land in Painted Vista (Dewey, AZ) within 1 year of Plan
14 Confirmation.

15 With respect to **Class B15**, Secured Creditor Yavapai County Treasurer shall be paid in
16 full the \$193.10 due on the 2 acres of land in Cedar Heights (Chino Valley, AZ), within 1 year
17 of Plan Confirmation.

18 With respect to **Class C1, Disputed Unsecured Claim** of M & I Marshall & Ilsley
19 Bank, Debtors shall pay \$5,000.00 within 1 year of Plan Confirmation in full satisfaction of
20 any and all unsecured, contingent, unliquidated and disputed claim relative to their former
21 interest in Sedona Partners, LLC.

22 With respect to **Class C2, Unsecured Claims**, they shall be paid 10% of their Allowed
23 Claims within 5 years of Plan Confirmation.

24	Citimortgage (unsecured balance)	\$ 18,883.20
25	OneWest Bank (unsecured balance)	\$ 77,920.22
26	OneWest Bank (unsecured balance)	\$ 67,582.21
27	Chase Card Services (*0417)	\$ 2,194.54
28	Chase Card Services (*6335)	\$ 412.50
	Chase Card Services (*8944)	\$ 12,093.44
	Citi AT&T Universal MC (*8558)	\$ 13,321.06
	Citi AT&T Universal MC (*2920)	\$ 13,825.68
	<u>Wells Fargo (*2145)</u>	<u>\$ 10,179.10</u>
		\$216,411.95

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2 It having been determined after hearing on notice that the requirements for confirmation
3 set forth in 11 U.S.C. §1129(a) have been satisfied;

4 IT IS HEREBY ORDERED that:

5 The Plan filed by Debtors Patrick and Rebecca Schmidt on August 23, 2011 and
6 modified herein is confirmed.

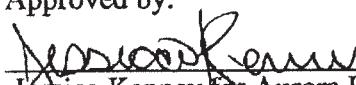
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8 SIGNED AND DATED ABOVE

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11 Approved by:



04/16/12

12 Jessica Kenney for Aurora Loan Services LLC (Class B3)

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15 Leonard McDonald for HSBC (Class B4)

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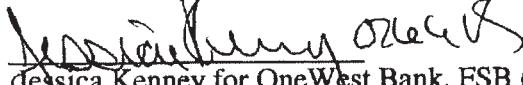
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18 Jamin Neil for CitiMortgage (Class B5)

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20 Leonard McDonald for CitiMortgage (Class B6)

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04/16/12

22 Jessica Kenney for OneWest Bank, FSB (Class B7)

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25 Kristin Mathers for OneWest Bank (Class B8)

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28 Kristin Mathers for OneWest Bank (Class B9)

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18 Leonard McDonald for CitiMortgage (Class B6)

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20 Jessica Kenney for OneWest Bank fka IndyMac (Class B7)

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22 Kristin Mathers for OneWest Bank (Class B8)

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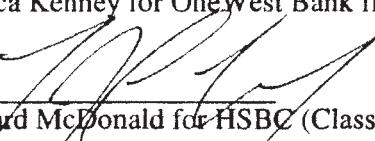
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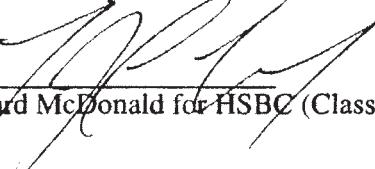
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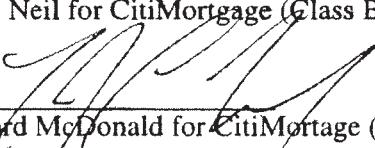
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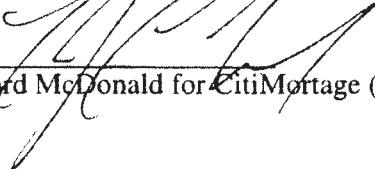
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24 Kristin Mathers for OneWest Bank (Class B9)

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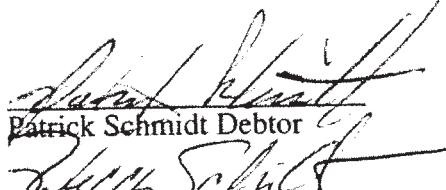
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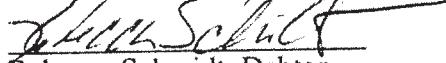
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THE LAW OFFICES OF ROBERT M. COOK, PLLC
219 WEST SECOND STREET
YUMA, AZ 85564

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Patrick Schmidt Debtor

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Rebecca Schmidt, Debtor

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Robert M. Cook, attorney for Debtors

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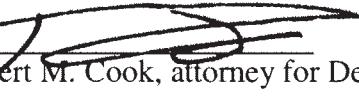
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2 Patrick Schmidt Debtor
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4 Rebecca Schmidt, Debtor
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6 Robert M. Cook, attorney for Debtors
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